THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL Nos.2105 and 1558 of 2005

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21st November 2005

1.WRIT APPEAL NO.2105 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 15.06.2005 in W.P.NO.17697 OF 2000 on the file of the High Court.)

Between:

1 The Board of Trustees, Visakhapatanam Port Trust, Port Area,Visakhapatnam.
2 The Chairman, Visakhapatanam Port Trust Port Area, Visakhapatnam.
3 The Chief Engineer, Civil Engineer Department,

Visakhapatanam Port Trust, Port Area, Visakhapatnam.

...APPELLANTS

AND

T.S.N.Raju, S/o. Late Sri Appala Narasimha Raju, O/o.Chief Engineer(Civil),Visakhapatnam Port Trust, Port Area,Visakhapatnam, R/o. Visakhapatnam.

...RESPONDENT

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2.WRIT APPEAL NO.1558 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 15.06.2005 in W.P. NO.23543 OF 2000 on the file of the High Court.)

Between:

1 The Board of Trustees, Visakhapatnam Port Trust, Port

Area, Visakhapatnam,
2 The Chairman, Visakhapatnam Port Trust, Port

Area, Visakhapatnam,
3 The Chief Engineer, Civil Engineer Department, Visakhapatnam

Port Trust, Port Area, Visakhapatnam,

...APPELLANTS

AND

R. Rama Rao S/o. Suryanarayana,
Port Area, Visakhapatnam, R/o. Visakhapatnam.

...RESPONDENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL Nos.2105 and 1558 of 2005

COMMON JUDGMENT: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides.

Since these two matters are connected, they are taken up for disposal together.

In these two appeals, the appellant/Visakhapatnam Post Trust is the respondent in the Writ Petition Nos. 17697 and 23543 of 2000. The main challenge is against the impugned action of the appellant as per the proceedings dated 23.08.2000 in not

accepting the applications of the respondents herein to retire from service on Voluntary Retirement basis. After going through the merits and considering the pleas of the respondents and especially in view of the impugned order, the learned Single Judge held that the entire impugned action is a speaking one without any specific reason. Therefore, the learned Single Judge gave a direction to the appellant to consider the applications of the respondents afresh.

Having heard the learned counsel on either side and on perusal of the material available on record and especially in view of the direction of the learned Single Judge for reconsideration afresh, we do not find any merits in the above appeals. We have also gone through the impugned order challenged in the Writ Appeals. As rightly observed by the learned Single Judge, it does not contain specific reasons in support.

Accordingly, both the Writ Appeals are dismissed. No costs. The appellant/Visakhapatnam Port Trust is directed to pass orders on the applications of the respondents within a period of one month from today.

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(B.PRAKASH RAO, J)

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(DR G.YETHIRAJULU, J)

21st November 2005

Note: CC by one week

B/O

RRB